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Attorneys for Defendants Murray Energy Corporation, UtahAmerican
Energy, Inc., Andalex Resources, Inc., and Genwal Resources, Inc.

**IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

MITCH HORTON,

Plaintiff,

vs.

MURRAY ENERGY CORPORATION, an
Ohio corporation; UTAHAMERICAN
ENERGY, INC., a Utah corporation;
ANDALEX RESOURCES, INC., a Delaware
corporation; AGAPITO ASSOCIATES, INC.,
a Colorado corporation; Mike Hewlett General
Manager of INTERMOUNTAIN POWER
AGENCY (IPA), a political subdivision of the
State of Utah; 10 unknown persons working
for or under the authority of
INTERMOUNTAIN POWER AGENCY; LOS
ANGELES DEPARTMENT OF WATER
AND POWER (LADWP), a political
subdivision of the State of California; 10
unknown persons working for or under the
authority of LOS ANGELES DEPARTMENT
OF WATER AND POWER; GENWAL
RESOURCES, INC., and Ohio Corporation
and JOHN DOES 1-10,

Defendants.

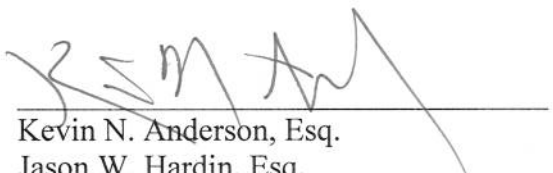
**NOTICE OF FILING NOTICE OF
REMOVAL**

Civil No. 110916617

Judge Sandra N. Peuler

PLEASE TAKE NOTICE that on December 9, 2011, Defendants Murray Energy Corporation, UtahAmerican Energy, Inc, Andalex Resources, Inc., and Genwal Resources, Inc. (collectively "**Defendants**") filed a Notice of Removal in the above-referenced action in the office of the Clerk of the United States District Court for the District of Utah, Central Division. A copy of Defendants' Notice of Removal, without exhibits, is attached hereto, and is served and filed herewith.

Dated: December 9th, 2011:



Kevin N. Anderson, Esq.
Jason W. Hardin, Esq.
FABIAN & CLENDENIN,
a Professional Corporation
Attorneys for Defendants Murray Energy
Corporation, UtahAmerican Energy, Inc.,
Andalex Resources, Inc., and Genwal
Resources, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 9 day of December, 2011, I caused to be delivered via United States Postal Service, postage pre-paid, a true and correct copy of the foregoing **NOTICE OF FILING NOTICE OF REMOVAL** to:

Dusten L. Heugly
Daniel W. McKay
Sonny J. Olsen
HEIDEMAN, McKAY, HEUGLY, & OLSEN, LLC
1375 South 100 East
Price, UT 84501

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Rachelle J. Mellon